

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMO DEVELOPMENT, LLC,)	
AMO MANUFACTURING USA, LLC and)	
AMO SALES AND SERVICE, INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 20-842 (CFC)
)	
ALCON VISION, LLC,)	
ALCON LABORATORIES, INC. and)	
ALCON RESEARCH, LLC,)	
)	
Defendants.)	
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ALCON INC., ALCON RESEARCH, LLC,)	
and ALCON VISION, LLC,)	
)	
Defendants and)	
Counterclaim Plaintiffs,)	
)	
v.)	
)	
AMO DEVELOPMENT, LLC,)	
AMO MANUFACTURING USA, LLC,)	
AMO SALES AND SERVICE, INC. and)	
JOHNSON & JOHNSON)	
SURGICAL VISION, INC.,)	
)	
Plaintiffs and)	
Counterclaim Defendants.)	

**MOTION FOR TELECONFERENCE
TO RESOLVE DISCOVERY DISPUTES**

Plaintiffs and Counterclaim Defendants (collectively, “J&J Vision”) respectfully move this Court to schedule a teleconference to address outstanding disputes regarding certain discovery matters set forth below. As relevant to these disputes, J&J Vision alleges that Defendants and Counterclaim Plaintiffs (collectively, “Alcon”) are infringing J&J Vision’s copyrighted software (as well as certain patents). The parties have the following disputes:

- Whether Alcon should be ordered to produce certain communications, documents, and information shared with certain third-party former employees and/or their counsel, which Alcon has withheld on the basis of attorney-client and/or common interest privilege;
- Whether Alcon should be ordered to produce certain documents, information, and communications it has withheld on the basis of the attorney work product doctrine when the material was shared with such third parties; and
- Whether Alcon should be ordered to further supplement its interrogatory responses concerning its awareness of the source code subject to J&J Vision's asserted copyrights and the termination of a certain Alcon employee.

The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in verbal meet-and-confers by telephone on one or more of the above issues on at least the following dates: February 22/23, 2021, July 2, 2021, and August 11, 2021.

Delaware Counsel:

Plaintiffs and Counterclaim Defendants: Jack B. Blumenfeld

Defendants and Counterclaim Plaintiffs: John W. Shaw

Lead Counsel:

Plaintiffs and Counterclaim Defendants: Rachel Weiner Cohen

Defendants and Counterclaim Plaintiffs: Noah S. Frank

The parties are available for a teleconference on the following dates: September 13, 15, and 17, 2021. In addition, due to the extensive and complex factual background of the issues, J&J Vision respectfully requests the page limit for opening and answering letters be expanded to five pages each.

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/s/ Brian P. Egan

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August 27, 2021

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AMO Sales and Service, Inc. and Johnson &
Johnson Surgical Vision, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on August 27, 2021, upon the following in the manner indicated:

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